

II. GENERAL INFORMATION FOR HOUSING APPLICANTS

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Baton Rouge, LA 70804-9495	

Physical Address

Division of Administration
Office of Community Development
Claiborne Building, Suite 7-270
1201 North Third Street
Baton Rouge, LA 70802

Introduction

This application package must be used to apply for housing projects. The LCDBG Housing Program has a two year funding cycle. Therefore, the Office of Community Development will accept applications for these priorities on December 16, 2005 and those applications will be reviewed for funding under the FY 2006 and FY 2007 program years. The applications are ranked among other applications submitted under the same activity area.

The Office of Community Development will not enter rating data for any housing applications that do not meet the threshold criteria identified on pages 20 - 23 as of December 16, 2005. Therefore, those applications will not be in consideration for funding during the FY 2006 program year. For the second year of the funding cycle, FY 2007, the Office of Community Development will enter rating data from any applications that meet the threshold criteria as of December 15, 2006. This may cause a change in the points awarded under the cost effective criteria; the points awarded under cost effectiveness are relative to the other applications that are being considered. Since additional applicants may meet the threshold criteria for FY 2007, there may be changes in the points awarded under cost effectiveness and in the ranking of the projects.

Eligible Applicants

All municipalities and parishes in Louisiana are eligible to participate in the LCDBG program with the exception of the following HUD entitlement jurisdictions: Alexandria, Baton Rouge, Bossier City, Jefferson Parish (including Grand Isle, Gretna, Jean Lafitte, and Westwego), Kenner, Lafayette Parish Consolidated Government, Lake Charles, Monroe, New Orleans, Shreveport, Slidell, Terrebonne Parish Consolidated Government, and Thibodaux.

Municipalities with a population of less than 25,000 and parishes with an unincorporated population of less than 25,000 may apply for one housing or public facilities grant under the FY 2006/2007 LCDBG Program. Municipalities with a population of more than 25,000 and parishes with an unincorporated population of more than 25,000 may submit a total of two applications for housing or public facilities with a combined maximum request of \$1.6 million. The individual amounts requested per application cannot exceed the funding ceiling amount for that particular type of application. The two applications must be prepared and submitted as two separate applications. According to the 2000 census information obtained from the Louisiana Census Data Center as provided by the U.S. Bureau of Census, those municipalities and parishes qualified to submit two applications are as follows: Acadia Parish, Ascension Parish, Bossier Parish, Caddo Parish, Calcasieu Parish, Iberia Parish, Lafourche Parish, Livingston Parish, City of New Iberia, Ouachita Parish, Plaquemines Parish, Rapides Parish, St. Bernard Parish, St. Charles Parish, St. John the Baptist Parish, St. Landry Parish, St. Martin Parish, St. Tammany Parish, Tangipahoa Parish, Vermilion Parish, Vernon Parish, and Washington Parish.

Type of Grant

This application package is to be used when applying for funds for housing projects. Only single purpose applications will be accepted. A single purpose grant provides funds for one primary need or activity, such as housing. While a housing grant may involve both housing rehabilitation and replacement housing, which are two activities, it is still considered a single purpose application because those are two mechanisms for addressing the need for housing improvements. Multi-purpose applications are not eligible for funding.

Size of Grants

The State has established a funding ceiling of \$600,000 for housing grants.

Within the ceiling amounts, the applicant is allowed to request funds for the reimbursement of pre-agreement costs (application preparation fees), administrative costs, and engineering/architectural fees. A maximum of \$2,500 is allowed for housing applications. Of this amount, a maximum of \$1,000 will be allowed for the packaging of the application and a maximum of \$1,500 will be allowed for household surveying costs. The \$1,500 for household surveying is allowed only if the administrative consultant conducts the household survey. The administrative consultant is required to make a minimum of one on-site visit in order to request pre-agreement costs. In order to be eligible for the pre-agreement costs, the following requirements must be met:

- The application must be funded under the FY 2006-2007 LCDBG Program years.
- The LCDBG procurement procedures must have been followed in the procurement of engineering/architectural and/or administrative consulting firms.
- The application preparation tasks and corresponding costs must be identified in a written contract between the firms and the local governing body.
- The application must be complete and accurate as determined by the Office of Community Development.

Only those local governing bodies that receive grant awards will be eligible for pre-agreement costs. The State has the option of reducing the reimbursable amount requested for pre-agreement costs. The component of the application that is deemed inadequate will be a determining factor in the amount of the reduction.

Eligible Activities

Identification of Priority Activities Appendix 3 of the Proposed FY 2006 Consolidated Annual Action Plan identifies all of the activities eligible for community development block grant funding under federal guidelines. Within those regulations, the State has established priorities for program categories and activities. Ineligible activities are identified in Section 570.207 of the Code of Federal Regulations.

The LCDBG Program has identified the broad activity categories of “Rehabilitation—Housing ” and “Clearance—Demolition” as funding priorities under the FY 2006/2007 Housing Program.

Rehabilitation--Housing Rehabilitation—Housing is an eligible activity that may consist of any or all of the following components:

- Rehabilitation of a house in a target area which brings it up to Section 8 Standards.
- Reconstruction of a house or mobile home in a target area on the original site after demolition of the original structure which meets Section 8 standards.
- Spot rehabilitation, hereafter called “spot rehab”, of a house in a defined area that eliminates specific condition(s) detrimental to health or safety but not necessarily meeting unit-wide Section 8 standards.
- Construction administration pertaining to each housing unit.

Rehabilitation and spot rehab are defined as the repair of an existing housing unit while reconstruction is defined as the demolition and replacement of an existing housing unit on the same site.

Clearance Demolition Clearance Demolition is an eligible activity may consist of the following components:

- Demolition, without replacement, of a vacant substandard house that is not able to be rehabbed under our program guidelines.
- Demolition, without replacement, of a vacant substandard mobile home.
- Demolition of a neighborhood obstruction.

Requirements, Definitions, Restrictions, and Procedures

Low/Mod Requirement Beneficiaries of the LCDBG housing program must be of low and moderate income.

Target Area and Defined Area Reconstruction and rehabilitation must be confined to a target area or at the most, two target areas. During application preparation, an area, called a “target area”, must be established by the applicant which will delineate a specific area in which houses will rehabilitated or reconstructed. The target area(s) must be adequately described in the “Project Description”.

In contrast, spot rehab must be done in a locally determined area called a “defined area”. An applicant may want to specify that the defined area(s) is the same area as the target area(s) or may wish to specify that a defined area is the target area plus an additional area(s) which is in proximity to the target area(s). Regardless of how the applicant chooses to define the area for spot rehab such a defined area(s) must be adequately described in the “Project Description”. Here are some examples of a defined area:

- The target area only.
- The target area plus all areas within 1,500 feet of the perimeter of the target area and within corporate limits.
- The target area plus all areas within 15 minutes driving time of a target area boundary and within corporate limits.
- All areas within the corporate limits.

The 75% Rule A housing unit is eligible to be rehabilitated when the estimated cost of the rehabilitation that results in Section 8 standards being met is less than seventy-five percent of the fair market value of the house after the rehabilitation work is complete.

Ownership Requirement for Eligibility A housing unit must be occupied by the owner (or a person with lifetime usufruct) to be eligible for rehabilitation, reconstruction or spot rehab. Additionally, the property on which a housing unit is located must be owned by the occupant of the home to be eligible for LCDBG funds. Rental units are not eligible for LCDBG improvements.

The occupant must have been an owner for at least six months prior to the submittal of the application in order to be eligible for LCDBG funds.

A vacant substandard unit must be determined to be in need of demolition by our application process to eligible for clearance demolition.

Caution Regarding Demolition Houses that are vacant but not substandard are not eligible for demolition under this program. Demolition of vacant housing units that are not substandard is addressed by the Anti-Displacement regulations at Section 104 (d) of the Housing and Community Development Act of 1974, as amended. If a funded applicant (grantee) demolishes a vacant housing unit with LCDBG funds that is (a) standard or (b) substandard but not in need of demolition, then the local governing body would be required to replace the demolished housing unit on a one for one basis.

Mobile Homes Mobile and modular homes may not be rehabilitated with LCDBG funds. However, mobile and modular homes may be reconstructed with “stick built” housing units with LCDBG funds. Prior to reconstruction of a mobile home with stick built housing the original substandard mobile home must be demolished. The intent of the program is not to relocate a substandard structure that needs demolition but rather to eliminate such a structure. Proof of demolition of mobile homes must be maintained as part of grant records.

Administration Allowances: LCDBG funds are allowable for administrative costs up to the following amounts:

Pre-agreement costs for packaging the application	\$ 1,000
Pre-agreement costs for conducting the household survey	1,500
Regular administration.....	35,000
Construction administration per unit for rehabilitation & reconstruction	3,200
Construction administration per unit for spot rehab	1,000

Spot Rehab

Definition of Spot Rehab Spot rehab is a limited activity involving the treatment of health and safety deficiencies in a locally defined area that pertains to one or more of the following household systems:

1. Electrical
2. Plumbing
3. Roofing
4. Heating and air-conditioning

Spot rehab does not necessarily bring an entire house up to Section 8 standards. For instance, spot rehab could be done for the repair of a failing roof while leaving inadequate floor covering untreated—because, by the above definition, spot rehab does not cover inadequate flooring but does cover inadequate roofing.

Spot rehab is optional for LCDBG housing programs. Applicants who apply for housing grants are not obligated to request funding for spot rehab.

The 75% Rule and the Structural Soundness Test for Spot Rehab A house will be eligible for spot rehab if it is able to meet the 75% rule and the structural soundness test.

The 75% rule states that a housing unit is eligible to be rehabilitated when the estimated cost of the rehabilitation that results in Section 8 standards being met is less than seventy-five percent of the fair market value of the house after the rehabilitation work is complete. Of course, rehabilitation and spot rehab are two different things; however, if a home would be eligible for rehabilitation under the 75% rule then it is eligible for spot rehabilitation.

Spot rehab does not necessarily bring the entire home up to Section 8 standards, so a “structural soundness test” must be met as part of eligibility requirements. If a home is deemed structurally sound enough to receive and utilize spot rehabilitation improvements for the expected life of the improvements then the home is eligible for spot rehab. The structural soundness test works hand in hand with the 75% rule. Questions, similar to those in the following example, should be asked in the process of determining eligibility for spot rehab.

Example: The roof is failing. Questions to ask include:

- (a) Will the home remain viable over the 20 year expected life of a roof?
- (b) Is the home in need of demolition?
- (c) Will the structure of the home adequately support the roof?
- (d) Could the home be brought up to Section 8 standards for less than 75% of the fair market value of the home if it were improved?

Specific Home Types not Eligible Mobile homes and modular homes are not eligible for spot rehab. Sub-standard structures that would be considered in need of demolition under our program guidelines are not eligible for spot rehab.

Maximums and Minimum per Spot Rehab Project A maximum of \$25,000 may be requested for spot rehab on an LCDBG grant. For instance, an applicant could apply for \$575,000 for rehabilitation and \$25,000 for spot rehab and not exceed the maximum allowed (\$600,000) for a housing grant. The local government will be responsible for any amounts spent on spot rehab which are in excess of the amount originally requested. Funds are not to be transferred from rehabilitation to spot rehab.

The project description may establish a minimum or a maximum per each house that will undergo spot rehab. For instance, if a minimum of \$1,500, (material and labor but not admin), were established and made known publicly, then a resident who needs only a bathtub replaced would realize that this kind of project would be ineligible for spot rehab. Maximums and minimums for spot rehab, if any, are to be established by the applicant and indicated in the Project Description.

Timing Regarding Spot Rehab In the interest of closing the grant in a timely manner, delay in the implementation of spot rehab should be avoided. Solicitation of the public to submit applications for spot rehab improvements should begin early in the life of the grant—preferably no later than a month from the release of the LCDBG contract. Spot rehab should be implemented simultaneously with other grant activities or in such a way that insures a timely close-out of the grant.

Amounts unutilized (left over) from other grant activities may not be utilized for spot rehab. LCDBG funds may be utilized for spot rehab up to the amount requested in the original application. In contrast, amounts unutilized from spot rehab may be used on any of the homes in the original application which were identified for rehabilitation or reconstruction.

Housing Policy Regarding Spot Rehab Parishes and municipalities which receive funding under a housing grant program must prepare a “Housing Rehabilitation Policy”. A sample policy is available as Exhibit C-1 in the most recent LCDBG Grantee Handbook which is available on the LCDBG web site. Such a policy may have been prepared by the applicant under a previous housing grant. Whether writing a new policy or simply updating an existing Housing Rehabilitation Policy, spot rehab guidelines must be incorporated into the policy if spot rehab funds are requested. If spot rehab is requested, the following are items which shall be included in the Housing Rehabilitation Policy:

- Description of the method which will be used to inform the public of the availability of spot rehab in the defined area—whether by brochure, advertisement, placement of signs, etc.
- A description of spot rehab especially as it pertains to the four household systems related to health and/or safety that are eligible: electrical, plumbing, roofing and heating & air/conditioning.
- Minimum and maximum dollar amount, if any, per each spot rehab project.

- Description of the type of house eligible for spot rehab especially concerning structural soundness test and the 75% rule.
- A statement that spot rehab will be initiated early during grant implementation.
- Description of the rating/allocation process of applications received from the public. In addition to the requirement for a household to be of low/mod income additional rating factors could include but are not limited to the following: age, disability, type of project, or even a rating on a first come—first serve basis. The aspects of rating applications of citizens must be specified up front and conducted fairly.

Application Details

Deadline The deadline for submittal of housing applications is December 16, 2005. If hand delivered, applications must be received by the Office of Community Development by 4:30 p.m. on or before December 16, 2005. If mailed, the postmark must be stamped no later than December 16, 2005. The applicant must obtain a “Certificate of Mailing” from the Post Office, certifying the date mailed. The State may require the applicant to submit the “Certificate of Mailing” to document compliance with the deadline.

Any applications that do not meet the deadline requirements stated above will not be rated.

Number of Copies An original and one copy of the complete application must be mailed to:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

Or delivered to:

Division of Administration
Office of Community Development
Claiborne Building, Suite 7-270
1201 North Third Street
Baton Rouge, Louisiana 70802

Threshold Criteria No grant will be made to an applicant that lacks the capacity to undertake the proposed program. In addition, applicants that have previously participated in the LCDBG Program must have performed adequately.

Performance and capacity determinations for the FY 2006 program year will be made on December 16, 2005. Performance and capacity determinations for the FY 2007 program year will be made on December 15, 2006.

In order to be eligible for a housing or public facilities grant under the FY 2006 LCDBG program year, the following thresholds must have been met:

1. Units of general local government will not be eligible to receive funding unless past LCDBG programs (FY 1997, FY 1998, FY 1999, FY 2000, FY 2001, FY 2002, FY 2003, FY 2004, and FY 2005) awarded by the State have been conditionally closed-out with the following exceptions.

For recipients of economic development awards under the FY 2002, FY 2003, FY 2004, and FY 2005 LCDBG Programs and for recipients of demonstrated needs awards funded under the FY 2005 LCDBG Program, the State will, on a case-by-case basis, make a determination on the recipient's performance. If the State makes the determination that the recipient has performed adequately, the State may deem that recipient eligible for FY 2006 funding.

The following stipulations in this paragraph relate to those parishes with an unincorporated population of more than 25,000 and cities with a population of more than 25,000 (See Section II.G.1. of the Proposed FY 2006 Consolidated Annual Action Plan) that may be applying for funds under the FY 2006 LCDBG program year. If any of these local governing bodies have no open or ongoing housing or public facilities grants awarded prior to December 16, 2005, the local governing body will be eligible to receive two grants under the FY 2006 LCDBG Program. If any of these local governing bodies have one housing or public facilities grant awarded prior to December 16, 2005 that has not been conditionally closed-out, the local governing body will be eligible to receive one grant under the FY 2006 LCDBG Program. If both applications are in a funding position under the FY 2006 Program, then the local governing body may choose which application will be funded. If any of these local governing bodies have two housing and/or public facilities grants that have not been conditionally closed prior to December 16, 2005, then those local governing bodies will not be eligible for any grants under the FY 2006 LCDBG program year.

2. Audit and monitoring findings made by the State or HUD have been cleared.
3. All required reports, documents, and/or requested data have been submitted within the timeframes established by the State.
4. Any funds due to HUD or the State have been repaid or a satisfactory payment arrangement of the debts has been made and payments are current.
5. The unit of general local government cannot be on the list of sanctioned communities that is maintained by the Office of Community Development.

The threshold requirements for FY 2006 funding will not apply to the recipients of the FY 2002, FY 2003, FY 2004 and FY 2005 LaSTEP funds or FY 2000 and FY 2002 Technology funds based on those grants only. If, however, the recipients of the LaSTEP or Technology funds have an LCDBG program previously funded under another program category, that grant

must meet the threshold requirements in order for the recipient to be eligible for other funding. The threshold requirements for FY 2007 funding for the aforementioned recipients will be identified in the FY 2007 Consolidated Annual Action Plan.

In order to be eligible for a housing or public facilities grant under the FY 2007 LCDBG program year, the following thresholds must have been met:

1. Units of general local government will not be eligible to receive funding unless past LCDBG programs (FY 1997, FY 1998, FY 1999, FY 2000, FY 2001, FY 2002, FY 2003, FY 2004, FY 2005, and FY 2006) awarded by the State have been conditionally closed-out with the following exceptions.

For recipients of economic development awards under the FY 2003, FY 2004, FY 2005, and FY 2006 LCDBG Programs and for recipients of demonstrated needs awards funded under the FY 2006 LCDBG Program, the State will, on a case-by-case basis, make a determination on the recipient's performance. If the State makes the determination that the recipient has performed adequately, the State may deem that recipient eligible for FY 2007 funding.

The following stipulations in this paragraph relate to those parishes with an unincorporated population of more than 25,000 and cities with a population of more than 25,000 (See Section II.G.1. of the Proposed FY 2006 Consolidated Annual Action Plan) that may be applying for funds under the FY 2007 LCDBG program year. If any of these local governing bodies have no open or ongoing housing or public facilities grants awarded as of to December 15, 2006, the local governing body will be eligible to receive two grants under the FY 2007 LCDBG Program. If any of these local governing bodies have one housing or public facilities grant awarded as of December 15, 2006 that has not been conditionally closed-out, the local governing body will only be eligible to receive one grant under the FY 2007 LCDBG Program. If both applications are in a funding position under the FY 2007 Program, then the local governing body may choose which application will be funded. If any of these local governing bodies have two open and ongoing housing or public facilities grants that have not been conditionally closed as of December 15, 2006, then those local governing bodies will not be eligible for any grants under the FY 2007 LCDBG program year.

2. Audit and monitoring findings made by the State or HUD have been cleared.
3. All required reports, documents, and/or requested data have been submitted within the timeframes established by the State.
4. Any funds due to HUD or the State have been repaid or a satisfactory payment arrangement of the debts has been made and payments are current.
5. The unit of general local government cannot be on the list of sanctioned communities that is maintained by the Office of Community Development.

Any public facilities applications that are determined to be ineligible for FY 2006 funding will be re-evaluated for eligibility for FY 2007 funding.

The State is not responsible for notifying applicants as to their performance status.

In order to be conditionally closed out, all closeout documents must have been approved by the State. Upon approval of all closeout documents, the State will forward a letter to the local governing body as official notification. The date of that letter must be as of to the date established for performance and capacity determinations.

The closeout documents should be submitted to the State at least forty-five days prior to the date established for performance and capacity determinations in order to give the State sufficient time to review these documents. The State cannot assure the review of the closeout documents will be completed within the time frame if less than forty-five days are given for staff review. The State will not be responsible for conditionally closing a grant if the closeout documents are submitted in a timely manner, but are determined to need revisions that cannot be completed prior to the established deadline.

Citizen Participation Requirements

Prior to the submittal of the application, the local governing bodies must have a written and adopted Citizen Participation Plan that is in compliance with Section 508 of the Housing and Community Development Act of 1974, as amended. The local Citizen Participation Plan must be made available to the public at the first public hearing. Instructions for developing a Citizen Participation Plan and a Sample Citizen Participation Plan for local governments are provided on pages 26 - 36.

Previous LCDBG recipients that have already adopted a Citizen Participation Plan must revise their plan to reflect any changes herein. Local governing bodies that are not familiar with the State's Citizen Participation Plan may request a copy by contacting Dotty Tapscott in the Office of Community Development at 225/342-7412. Only the citizen participation requirements that pertain to the application procedures are identified herein.

If the local governing body is not having an official meeting to adopt/amend the Citizen Participation Plan prior to the first public hearing, the local governing body can distribute the new or revised Citizen Participation Plan at the public hearing. However, the new or revised Citizen Participation Plan must be adopted prior to the second public notice announcing availability of the application for review and the notice must state that the adopted Citizen Participation Plan will also be available for review.

The local governing body must hold the first public hearing prior to the development of the application. The purpose of the hearing is to receive comments on the housing and community development needs of the jurisdiction. A notice of the public hearing (sample notice is provided on page 27) must be published in a local newspaper a minimum of five days prior to the date of the hearing. The day the notice is published does **not** count as one of the five days. The hearing can be held on the fifth day. The location and time of the hearing must be convenient to potential beneficiaries. Also, a location and time frame for the submittal of

comments should be included for persons unable to attend the hearing. An interpreter must be present at the public hearing if a significant number of non-English speaking persons are expected. The notice must state that accommodations for persons with disabilities or non-English persons will be provided. Citizens, particularly persons of low and moderate income and those living in slum and blighted areas, should be encouraged to participate in this process.

The following information must be identified in the public notice as items to be discussed at the hearing and provided to persons attending the meeting.

1. The amount of funds available for proposed community development and housing needs.
2. The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income.
3. The plans of the applicant for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided to persons actually displaced as a result of such activities.
4. If applicable, the applicant must provide citizens with information regarding the applicant's performance in prior LCDBG programs funded by the State.

Written minutes of the hearing and an attendance roster must be maintained by the local governing body.

A second public notice (sample notice on page 36) regarding the specific contents of the application must be published a minimum of seven calendar days prior to application submittal in a local newspaper. The purpose of the notice is to inform the citizens of the proposed objectives, proposed activities, location of the proposed activities, and amount of funds to be used for each activity. Citizens must be given the opportunity to review the application and to submit comments on the proposed application. The notice must state the proposed application submittal date and provide the location and time frame the application is available for review. **The application must be complete and available for public review when the notice is published in the newspaper.**

The applicant must provide technical assistance to facilitate citizen participation when requested, particularly to representatives of or low and moderate income persons. The level and type of technical assistance shall be determined by the applicant based upon the specific needs of the community's residents.

Standard Application Forms Only applications submitted on the standard forms included herein will be accepted. Additional application forms are available from the Division of Administration, Office of Community Development, Post Office Box 94095, Baton Rouge, Louisiana 70804-9095. Telephone number (225) 342-7412 or Louisiana Relay Service at 1-888-699-6869 (Information), 1-800-846-5277 (TTD Users), 1-800-947-5277 (Voice Users). The application package is also available on the Internet at www.state.la.us/cdbg/cdbg.htm.

Federal and State Statutes and Regulations That Apply to the LCDBG Program

The following regulations apply to the LCDBG Program and should be considered in the preparation of your application.

1. Uniform Act (Acquisition and Relocation) – Requires appraisals for all acquisition (valued over \$10,000) undertaken in connection with activities included in the application, including easements/servitudes for public facilities. The local governing body is required to pay at least fair market value for all properties acquired. Acquisition must be completed before construction begins. Acquisition and relocation can be very time consuming, please develop your program time schedule accordingly.
2. Davis-Bacon and Contract Work Hours and Safety Standards – Requires that Federal prevailing wage rates are paid to all employees working under a construction contract of \$2,000 or more. Also, all employees must be paid at least time and a half for any time they work more than forty hours per week. The Federal Labor Standards Provisions and the applicable federal wage decision(s) must be included in bid packages and contract documents as well as referenced in all bid advertisements. Prevailing wage rates are higher than regular wages in many rural areas and may affect the project budget.
3. Audit Requirements – OMB Circular A-133 requires single audits of all grantees that have total annual federal expenditures in excess of \$500,000. Financial audits and/or certifications are required in accordance with State law when grantee has total annual federal expenditures less than \$500,000. Single audit costs may be eligible for reimbursement in part as an administrative expense.
4. Architectural Barriers Act – Requires that all non-residential structures and public facilities constructed, renovated, or rehabilitated with federal funds be accessible to the handicapped. Entrances must be ramped, bathrooms must accommodate wheelchairs, etc.
5. Rehabilitation Standards – All houses rehabilitated with LCDBG funds must meet Section 8 Existing Housing Quality Standards, HUD's cost-effective energy standards, Section 105 (a) (4) of the Housing and Community Development Act of 1974, as amended (if lead based paint activities are in conjunction with other rehabilitation activities), Section 105 (a) (25) (if lead based paint activities are undertaken as a separate activity), and the Fire Administration Act requirements after the project is complete. The cost of rehabilitating units that do not meet these standards will not be an eligible LCDBG cost. Mobile and/or modular homes are not eligible for rehabilitation under the LCDBG Program. However, substandard mobile homes may be replaced with residential structures.

All units built prior to 1978 must be tested for lead-based compliance before construction.

Developing a Citizen Participation Plan

All applicants and grantees should have **developed** and **adopted** a Citizen Participation Plan prior to application preparation in order to be in compliance with Section 508 of the Housing and Community Development Act of 1974, as amended. The Plan at a minimum should:

- (a) provide for and encourage citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- (b) provide citizens with reasonable and timely access to local meetings, information, and records relating to the unit of local government's proposed method of distribution and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- (c) provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the grantee;
- (d) provide for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performance; which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped;
- (e) provide for a formal written procedure which will accommodate a timely written response to written complaints and grievances within 15 days where practicable; and
- (f) identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can reasonably be expected to participate.

Each applicant/grantee shall provide citizens with adequate opportunity to participate in the planning, implementation, and assessment of the CDBG program. The applicant/grantee shall provide adequate information to citizens, hold a public hearing at the initial stage of the planning process to obtain views and proposals of citizens, and provide opportunity to comment on the applicant's/grantee's community development performance. The Citizen Participation Plan must incorporate procedures for complying with the above regulations (a-f).

(Sample)

CITIZEN PARTICIPATION PLAN

The _____ has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The _____ is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant (LCDBG) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the _____ shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information and records relating to the State's proposed method of distribution, as required by the Secretary, and relating to the actual use of funds under Title I of the Housing and Community Development Act of 1974, as amended;
- 2) Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- 4) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the _____

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the _____ a minimum of five calendar days prior to the hearing. In addition, notices will also be posted in (parish office buildings/town hall) and the hearing will be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION:

First Notice/Public Hearing

- 1) The public hearing to address LCDBG application submittal will be held approximately _____ calendar days prior to the deadline for submission of the application for the current funding cycle. The Citizen Participation Plan will be available at the hearing. The public notice for this hearing will state that the following will be discussed:
 - a) The amount of funds available for proposed community development;
 - b) The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
 - c) The plans of the _____ for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the _____ to persons actually displaced as a result of such activities; and
 - d) The _____ prior performance of LCDBG programs funded by the State of Louisiana.

In addition, the notice shall state that all citizens, particularly low and moderate income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

(address of local governing body)

The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a _____ day notice is received by the _____.

Second Notice

- 1) Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:
 - a) Proposed submittal date of the application;
 - b) Proposed objectives;
 - c) Proposed activities;
 - d) Location of proposed activities;
 - e) Dollar amount of proposed activities; and
 - f) Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:"

(address of local governing body)

Negative comments received will be forwarded immediately to the State's Office of Community Development, Division of Administration or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the LCDBG project from that approved in the original application, shall not be submitted to the State without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. GRANTEE PERFORMANCE

The _____ will hold one performance hearing to solicit the public's opinion of the effectiveness of the LCDBG Program. The manner of notification will be the same as previously described for all public hearings. Notification will be made in the official journal approximately _____ calendar days prior to the anticipated submittal of close-out documents to the State, and will indicate the date, time, and place of the performance hearing, and invite comments and opinions on the LCDBG activities implemented under the _____ LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a _____ day notice is received by the _____.

This notice shall invite all interested parties, particularly those low to moderate income residents in the target area to attend.

The hearing will be held no sooner than five calendar days from the publication date of said notice.

CONSIDERATION OF OBJECTION TO APPLICATION

Persons wishing to object to approval of an application by the State may make such objection known to:

Office of Community Development
Division of Administration
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The State will consider objections made only on the following grounds:

- 1) The application description of needs and objectives is plainly inconsistent with available facts and data;
- 2) The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- 3) The application does not comply with the requirements set forth in the Final Statement or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the _____ will provide a interpreter for dissemination of information to them providing the _____ is given sufficient notification of _____ day(s).

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the _____ to any citizen, particularly to low and moderate income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the LCDBG Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the _____ with at least a one week notification. The persons who conducts the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

TIMELY ACCESS AND ADEQUATE INFORMATION

The _____ shall provide timely disclosure of records, information and documents related to the LCDBG program activities. Documents will be made available for copying upon request at the _____, Monday thru Friday, _____ a.m. to _____ p.m. Such documents may include the following:

- 1) All meetings and promotional materials.
- 2) Records of hearings and meetings.
- 3) All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
- 4) Copies of the regulations (final statements) concerning the program.
- 5) Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the (local governing body) to review all complaints received by the (local governing body.)

SECTION 2

The following procedures will be followed on all complaints received by the (local governing body):

- 1) The complainant shall notify the (designated local official) of the complaint. The initial complaint may be expressed orally or by written correspondence.
- 2) The (designated local official) will notify the Mayor or designated representative of the complaint within _____ working days.
- 3) The Mayor or designated representative will investigate the complaint and will report the findings to the (designated local official) within _____ working days.
- 4) The (designated local official) will notify the complainant of the findings of the Mayor or designated representative in writing or by telephone within _____ working days.
- 5) If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the (designated local official) who will forward the complaint and all actions taken by the Mayor or designated representative to the appropriate council committee for their review. This will be accomplished within _____ working days of receipt of the written complaint.
- 6) The reviewing council committee will have _____ working days to review the complaint and forward their decision to the complainant in writing.
- 7) If the complainant is aggrieved with the decision of the Committee, he must notify the (designated local official) in writing that he desires to be afforded a hearing by the (local governing body) Council. The complainant will be placed on the next regularly scheduled council meeting agenda. The (designated local official) will notify the complainant in writing of the date of the hearing.

- 8) The complainant must bring all relevant data, witnesses, etc., to the hearing. The (local governing body) Council, at the hearing, will review

the complaint and forward within _____ days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the (local governing official) Council will inform complainant of an appropriate date to expect a response. Within _____ working days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the LCDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The complainant will be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

or

Complainant may contact the Louisiana Department of Justice Division directly at the Toll Free Telephone number 1-800-273-5718 or 225-342-7900.

SECTION 4

The (designated local official) will maintain a file for the purpose of keeping reports of complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel or other policies of the (local governing body) which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6

This policy may be amended by a majority vote at any of the _____ regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan is hereby adopted by _____
in regular session on this _____ day of _____, 200____.

WITNESS

CHIEF ELECTED OFFICIAL

SAMPLE PUBLIC NOTICE

Public Hearing

Village of _____, Louisiana

The Village of _____ will hold a public hearing at _____ p.m. on _____, 2005 at the _____ Village Hall. The purpose of the meeting is to obtain views on the housing and community development needs of the Village and to discuss the submission of an application for funding under the State of Louisiana FY 2006/2007 Community Development Block Grant (LCDBG) Program. The following items will be discussed at the hearing:

- A. The amount of funds available for proposed community development and housing activities;
- B. The range of activities available that may be undertaken, including the estimated amount of funds proposed to be used for activities that will benefit persons of low and moderate incomes;
- C. The plans of the Village for minimizing displaced persons as a result of activities assisted with such funds and the benefits to be provided by the Village to persons actually displaced as a result of such activities; and
- D. The Village's past performance on LCDBG projects funded by the State of Louisiana.

All residents, particularly low and moderate income persons and residents of slum and blighted areas of the Village of _____ are encouraged to attend this meeting.

Accommodations will be made for persons with disabilities and non-English speaking individuals provided that three day notice of received by the Village.

Those citizens unable to attend this hearing may submit their views and proposals until _____, 2005 in writing to:

Village of _____
Post Office Box _____
_____, Louisiana _____
_____, Mayor

SAMPLE PUBLIC NOTICE

LCDBG Application Available for Review

The Village of _____ announces that an application for the FY 2006/2007 Louisiana Community Development Block Grant (LCDBG) funds will be submitted for the following:

Activity: LCDBG funds will be used to _____
Objective: To provide adequate service for low-moderate income residents of the Village of _____
Location: The target area consists of _____
Amount: (List each activity and the amount)

All citizens, particularly persons of low and moderate income and residents of blighted areas, are encouraged to submit their views and proposals by (insert date, this date must allow for a review period of a minimum of seven days prior to application submittal) to the Mayor at the following address:

Office of the Mayor
Village of _____
Post Office Box _____
_____, Louisiana _____
Telephone: _____

The application is to be submitted to the State's Office of Community Development on or about (insert date application will be submitted). A copy of the application will be available for review at the Village Hall between the hours of (insert hours Village Hall is open for business) on (insert the days of the week the application will be available for review).